

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Prohibition & Excise Department – Sri A.Hanumantha Rao, Prohibition & Excise Superintendent – Assigning notional date of promotion in the category of Prohibition & Excise Superintendent with effect from 14.03.2002 in the panel year 2001-2002 – Orders - Issued.

REVENUE (EXCISE-I) DEPARTMENT

G.O.Ms.No. 1189

Dated 21-11-2009

Read the following:

1. G.O.Rt.No.1563, Revenue (Ex.I) Dept., dated 05.08.2008.
2. G.O.Rt.No.889, Revenue (Vig.V) Dept., dated 07.07.2009.
3. Government Memo.No.2550/Vig.V(1)/2001-20, dated 07.07.2009
4. Representation of Sri A.Hanumantha Rao, P&ES dated 23.7.2009
5. Government Memo.No.32218/Ex.I(1)/09-1 dated 4-8-2009
6. From the CPE, Hyderabad Letter Cr.No.14342/2007/CPE/A2, dated 10.9.2009.

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ORDER:

In the reference 4th read above, Sri A.Hanumantha Rao has stated that his name was included in the panel of Assistant Prohibition & Excise Superintendent fit for promotion to the category of Prohibition & Excise Superintendent for the panel year 2001-02, but the promotion was deferred due to the pendency of disciplinary case. He has stated that his junior Sri Ch.Gopala Krishna was promoted notionally as Prohibition & Excise Superintendent with effect from 14.03.2002 in the panel year 2001-2002. He has stated that since the Government subsequently dropped the Criminal charges against him, he has requested to assign notional seniority in the category of Prohibition & Excise Superintendent with effect from the date on which his junior Sri Ch.Gopala Krishna was promoted in terms of G.O.Ms.No.424, G.A. (Ser-C) Dept., dated 25.05.1976. The individual has further stated that in the reference 1st read above, Government issued orders promoting him as Prohibition & Excise Superintendent on adhoc basis.

2. In the reference 6th read above, the Commissioner of Prohibition & Excise, A.P., Hyderabad has stated that the name of Sri A.Hanumantha Rao was considered by the Departmental Promotion Committee, which met on 14.7.2005, for the panel year 2001-2002 for promotion to the post of Prohibition & Excise Superintendent. The Departmental Promotion Committee included the name of the individual in the panel of Assistant Prohibition & Excise Superintendent fit to be promoted as Prohibition & Excise Superintendent for the panel year 2001-2002 but deferred the promotion since a criminal case and a disciplinary case were pending against the individual. The Commissioner of Prohibition & Excise, A.P., Hyderabad has further stated that Government have subsequently dropped further action in the criminal and disciplinary cases against the individual in the references 2nd & 3rd read above.

3. The Commissioner of Prohibition & Excise, A.P., Hyderabad has stated that Sri A.Hanumantha Rao was promoted as Prohibition & Excise Superintendent on adhoc basis and is holding the post of Prohibition & Excise Superintendent. As such no person in the cadre of Prohibition & Excise Superintendent need to be reverted. The Commissioner of Prohibition & Excise, A.P., Hyderabad has further stated that as per G.O.Ms.No.424, GA (Ser-C) Dept., dated 25.5.1976 – "in the event of there being an officer whose promotion has been recommended to be deferred, the vacancy that could have gone to the officers should be filled on purely temporary basis by next person in the approved list of candidates for promotion. If the officer concerned is

completely exonerated he should be promoted to the post filled on temporary basis restoring him his rightful place in the list of promoted officers with retrospective effect". The Commissioner of Prohibition & Excise, A.P., Hyderabad has therefore, requested the Government to take necessary action on the request of the individual.

4. Government, after careful examination of the matter hereby decided to consider the request of Sri A.Hanumantha Rao to assign notional seniority in the category of Prohibition & Excise Superintendent with effect from 14.03.2002 i.e., the date on which his junior Sri Ch.Gopala Krishna was promoted as Prohibition & Excise Superintendent in the panel year 2001-2002 in terms of G.O.Ms.No.424, G.A. (Ser-C) Dept., dated 25.05.1976.

5. Accordingly, Sri A.Hanumantha Rao, Prohibition & Excise Superintendent is hereby assigned notional date of promotion as Prohibition & Excise Superintendent with effect from 14.03.2002 in the panel year 2001-2002 on par with his junior Sri Ch.Gopala Krishna, in relaxation of Rule-33(a) of the A.P. State & Subordinate Service Rules, 1996.

6. The Commissioner of Prohibition & Excise, A.P., Hyderabad shall take necessary further action in the matter.

7. The above notional promotion is subject to the outcome of SLPs /WPs /OAs /CAs /RPs etc., pending in the Hon'ble Supreme Court/ High Court/ Tribunal, as the case may be.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Prohibition & Excise, A.P., Hyderabad

The individual through CPE, A.P., Hyderabad

Copy to:

The Rev (Vig-V) Department

The PS to Prl.Secy to CM / PS to Prl.Secy.(AM)

Sf/Sc

// FORWARDED :: BY ORDER //

SECTION OFFICER